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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.232 OF 2007

Nitin Bhoja Shetty Appellant
versus
Abdul Latif Kasmani & others Respondents

Mr.L.K.Tripathi for appellant.

CORAM : A.S.OKA, J.

DATE : 28th March 2007

PC :

1. Heard learned advocate for the appellant-original plaintiff. The case of the appellant-plaintiff is that one of the respondents/defendants has executed an agreement for development in his favour on 2nd January 2006. The suit is simplicitor for injunction. Considering the claim in the suit and considering the facts and circumstances of the case, the learned Trial Judge was right in rejecting the prayer for ad-interim relief. I find no merit in the appeal and the same is accordingly dismissed. It is made clear that all contentions of the parties on merits in the pending Notice of Motion

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and in the suit are expressly kept open. Hearing of the Notice of Motion is expedited.

2. In view of dismissal of Appeal from Order, Civil Application No.345 of 2007 does not survive.

(A.S.OKA, J.)